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ILLINOIS MUTUAL LIFE INSURANCE COMPANY
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10 **UNITED STATES DISTRICT COURT**
11 **NORTHERN DISTRICT OF CALIFORNIA**

12 FRANK LOWENBERG, individually and
13 on behalf of all members of the public
similarly situated,

14 Plaintiffs,

15 v.

16 ILLINOIS MUTUAL LIFE INSURANCE
17 COMPANY, an Illinois corporation; and
DOES 1-50, inclusive,

18 Defendants.

19 Case No.: 4:22-cv-05329-HSG
20
21 Assigned to the Hon. Kandis A.
Westmore

22 **STIPULATION AND ORDER TO
EXTEND TIME TO RESPOND TO
COMPLAINT (L.R. 6-1, 6-2(a))**

23 Filing Date: September 20, 2022
24 Response Deadline: December 20, 2022
25 New Deadline: December 27, 2022
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27
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1 Plaintiff Frank Lowenberg (“Plaintiff”) and Defendant Illinois Mutual Life
2 Insurance Company (“Illinois Mutual”) by and through their respective counsel of
3 record, hereby stipulate and agrees as follows pursuant to Local Rule 6-2(a):

4 WHEREAS, on September 20, 2022, Plaintiff filed his Complaint (ECF No. 1);

5 WHEREAS, on October 21, 2022, Plaintiff’s counsel provided Illinois Mutual’s
6 counsel with a Notice of Lawsuit and Request to Waiver Service of Summons;

7 WHEREAS, on October 26, 2022, Illinois Mutual signed and returned the Waiver
8 of Service of Summons;

9 WHEREAS, the parties have met and conferred and agree that Illinois Mutual’s
10 deadline to respond to the Complaint should run 60 days from its signature and return of
11 the Waiver of Service of Summons, extending its deadline from December 20, 2022 to
12 December 27, 2022;

13 WHEREAS, good cause exists for the requested continuance because it will allow
14 Illinois Mutual sufficient time to analyze and evaluate the class action Complaint and to
15 prepare a response;

16 WHEREAS, the requested extension of time would not have any effect on the
17 schedule for this case because the Court has not entered any schedule.

18 IT IS HEREBY STIPULATED AND AGREED between the parties that Illinois
19 Mutual’s deadline to respond to the Complaint is extended from December 20, 2022 to
20 December 27, 2022.

21 DATED: November 1, 2022 KATHY J. HUANG
22 GILLIAN H. CLOW
23 BROOKE H. BOLENDER
24 **ALSTON & BIRD LLP**

25 /s/ Gillian H. Clow
26

27 Gillian H. Clow
28 Attorneys for Defendant
 **ILLINOIS MUTUAL LIFE INSURANCE
COMPANY**

1 DATED: November 1, 2022 **LAW OFFICES OF GARY R. CARLIN, APC**
2

3 /s/ Gary R. Carlin
4

Gary R. Carlin
5 Attorneys for Plaintiff
FRANK LOWENBERG
6

7 Attestation: I, Gillian H. Clow, hereby attest that I have received the consent of Gary R.
8 Carlin to file this document and that he concurs with this document's contents.
9

10 **ORDER**
11

12 PURSUANT TO STIPULATION, IT IS SO ORDERED.
13

14 DATED: 11/14/2022
15


Honorable Haywood S. Gilliam, Jr.
United States Judge